



LUA16-000679 Safe and Healthy Housing in Renton Program

I. Overview

The health of a community is reflected in the condition of the physical and social environment within which its residents reside. Low income people, people of color, children, and older adults are more likely to live in substandard rental homes that are in poor condition, resulting in potential long-term harm to the health of those community members. The **SAFE AND HEALTHY HOUSING FOR RENTON, Residential Rental Registration and Inspection Program** institutes tactics employed by a growing number of cities to ensure rental housing is maintained to uniform standards. Programs such as Safe and Healthy Housing for Renton are regulated by the State of Washington, RCW 59.18.125.

The most important expectation of this new program is a reduction in the need for public agencies to relocate people on an emergency basis due to unsafe or unhealthy living conditions.

II. Program

The Program consists of several components:

- Business licensing for property owners who provide residential rentals
- Residential Rental Registration
- Health and Safety Inspections
- Certification of Compliance
- Appeal Procedures

III. Administration of Program

The Safe and Healthy Housing in Renton Program will be primarily administered by the Community and Economic Development Department, although other City departments will be responsible for aspects of the program.

CED will oversee the public outreach, community engagement, and information distribution. Information on the City website and online forms will be the responsibility of CED. CED will oversee the registration and inspection programs, collect fees, and issue Certificates of Inspection and of Occupancy.

The Business License Division of the Finance Department will issue business licenses to property owners wishing to rent residential units in the City of Renton. The IT Division will monitor the use of the Energov tracking system. The Utility Billing Division will assist with sending information and identifying properties that have rental units.

The Office of the City Clerk will oversee the appeal process.

IV. Business License

Every business operating in, or conducting business within the City of Renton limits, is required to annually register and obtain a general business license. Upon adoption of this Program, property owners who provide residential rental units within the City of Renton must obtain a general business license. All requirements for business licenses, as per Renton Municipal Code 5-5-3, shall apply.

Prior to adoption of this program the requirement for businesses licenses had not been enforced for residential rental businesses. A change of policy is required to enforce this existing regulation.

The business license is non-transferable upon sale of residential rental property.

V. Registration

All property owners who rent residential dwelling units not exempted from the program will be required to register all rental units, with the following exceptions:

- Living units not rented to others;
- Single room rental within a residence that is also occupied by the property owner;
- Residences occupied by family members of the property owner (affidavit required);
- Accommodations for transient guests for which Lodging Tax is applicable (hotels, motels, inns, Airbnbs, etc.);
- Housing units in hospitals, hospice and community-care facilities, retirement or nursing homes, and extended care facilities, i.e. living units subject to regulation by state licensing requirements;
- Rental units that a government agency or authority owns, operates or manages, or that are specifically exempted from municipal regulation by state or federal law or administrative regulation (exemption applies until such ownership is discontinued);
- Units that receive funding or subsidies, such as Housing Choice Vouchers, from the federal, state, or a local government and are inspected at least every four years as a requirement of the funding or subsidy (a copy of the inspection must be provided to the City); and
- Emergency or temporary shelters and transitional housing.

Change of ownership requires reregistration, but not reinspection, of all units.

The registration requirement is applicable to residential rental units regardless of the land use zone within which they are located.

Registration information must be updated annually when fees are due. Information required includes:

- Current contact information, including during emergencies, for property owner;
- Current contact information, including during emergencies, for agent, manager, and/or applicant if different from property owner;
- Primary contact for Safe and Healthy Housing Program communication;
- Verification that contact information has been provided to tenant to report need for repairs, etc.;
- Address and tax assessor number of all property where rental unit or units is/are located;
- Number of applicable dwelling units;
- Type of rental unit (i.e. single family, apartment);
- Number of bedrooms in each rental unit;
- Number of occupants allowed per unit;
- Inspection preference (City inspection, Contractor inspection, Undecided); and
- Declaration of compliance with Renton Municipal Code requirements.

VI. Record and Data Storage and Program Monitoring

The City of Renton permit tracking system, Energov, will be used to record residential rental registration information. As the program is further implemented, it will store relevant data including date of registration, fee payments, inspector assignment, date and result of inspection, date of issuance of Certificate of Occupancy, appeals and other related actions, and renewal date.

VII. Identification of Residential Rental Properties and Registration of Property Owners

Citywide notification of the requirement to obtain a business license and register residential rental units will be done by several methods; distribution of notices with utility bills, publication in the Renton Reporter and Seattle Times, multiple social media outlets (closed circuit television announcements, City Facebook page and website, etc.). It is anticipated some, although certainly not all, property owners will contact the City to meet the new requirements.

Simultaneously with "voluntary" registrations, identification of property owners not occupying residential units will take place through several avenues. These will include utility billing records and information available from the King County Tax Assessor's Office.

VIII. Fees

It is intended that the Safe and Healthy Housing Program be revenue generating only to extent that it is ultimately fiscally self-sustaining. While this may require adjustments to the fee schedule in the future, at the present time the following are proposed fees:

Business License fee		\$150/year
Registration fee	1 – 4 dwelling unit(s)	\$12/each/year
	5 – 24 dwelling units	\$10/each/year
	25 or more dwelling units	\$8/each/year
	Communal residence	\$20/each/year
Inspection by City fee	Initial inspection	\$50/each
	First reinspection	\$90/each
Reinspection by City fee	Second reinspection	\$125/each
	Third reinspection	\$200/each
Inspection by Contractor	Administration Fee to City	\$40/each
Appeal fee	Administrative Appeal	\$250 / each

IX. Inspections and Reinspections

The inspection element of the program will be phased in over a four-year period. The phasing will be geographically-based with "zones" created according to zip codes, as follows:

<u>Zone</u>	Zip Code	Year Initial Inspection Required
Α	98056	2017
В	98057/98178	2018
С	98058/98059	2019
D	98055/98031	2020

Inspections will occur on a rotating schedule so that units within a given zone that are subject to inspections are reinspected every four years. The criteria for inspections shall be as follows:

- For properties having 1 to 20 units, no more than 4 units shall be required to be initially inspected and reinspected, as long as the inspected units do not have conditions that endanger or impair the health and safety of a tenant.
- For properties having 21 or more units, no more than twenty percent of the units on the
 rental property, rounded up to the next whole number, to a maximum of fifty units, may
 be selected by the City to be initially inspected and reinspected, as long as the inspected
 units do not have conditions that endanger or impair the health and safety of a tenant.
- If a property owner is required to provide a Certificate of Compliance for a representative sample of units on the property and a selected unit fails the inspection, the City may require up to one hundred percent of the units on the property to provide a Certificate of Compliance.

- Following the initial inspection and issuance of Certificate of Compliance for all units, inspections shall be required no more than every 4 years, with the following exceptions:
 - Any unit or building with an issued code violation may be inspected within the 4 year timeframe; and
 - Those units or buildings for which there has been receipt of a verified complaint based on a health or safety issue may be inspected within the 4 year timeframe.
- Four-year reinspections shall be based on zones, with each zone subject to inspection once every four years.

X. Inspectors

For residential rental units without previous documented code violations, property owners shall have the option of having rental units inspected by either a City Inspector or a private inspection contractor. If units have had previous documented code compliance violations or life-safety damage (i.e. building fires) inspections must be by a City Inspector.

All inspectors must be certified. Certification may be as an architect, home inspector, or building inspector.

If an inspection results in a finding of possible damage from wood destroying organisms, a certified structural pest inspector must provide an assessment prior to issuance of a Certificate of Compliance.

Private inspection contractors must be selected from a list provided by the City of Renton.

XI. Minimum Standards

Implementation of a Safe and Healthy Housing Program in Renton requires revisions to Title IV, Chapter 5 of the Renton Municipal Code, "Building and Fire Prevention Standards." The residential rental housing standards proposed to be adopted are based on recommends by the National Center for Healthy Housing (National Healthy Housing Standard, American Public Health Association, 2011). These standards are proposed to be incorporated into RMC 4-5-130, "International Property Maintenance Code," as previously adopted with amendments, additions, and exceptions as noted below.

4-5-130 INTERNATIONAL PROPERTY MAINTENANCE CODESTANDARDS:

A. INTERNATIONAL PROPERTY MAINTENANCE CODE ADOPTED:

The 2015 Edition of the International Property Maintenance Code is adopted as amended, added to, or excepted in this title, and shall be applicable within the City, except Chapter 1,

Scope and Administration, and Sections 303, 307, 308, and 507, which are not adopted. The Construction Administrative Code, as set forth in RMC <u>4-5-060</u>, shall be used in place of IPMC Chapter 1, Scope and Administration. (Ord. 5710, 4-14-2014; Ord. 5810, 7-11-2016)

B. AMENDMENTS TO INTERNATIONAL PROPERTY MAINTENANCE CODE:

The following amendments to the Code are hereby adopted:

1. Section 301.2 is amended to read as follows:

ResponsibilityResponsibilities: The owner of the premises shall maintain the interior and exterior of structures and exterior surrounding property in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to rent or otherwise occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this section. The occupant shall properly use and operate the dwelling unit and owner-supplied fixtures and facilities controlled by the occupant in order to maintain a safe and healthy environment within the dwelling unit, and report unsafe or unhealthy conditions, including malfunctioning appliances, leaks, and other problems requiring repair, to the owner in a timely manner.

- 301.2.1 The owner shall ensure the collection of trash and recyclables and provide and maintain trash containers, bulk storage containers, recycling containers, and areas where the containers are stored.
- 301.2.2 The owner shall maintain the building and premises to keep pests from entering the building and dwelling units, inspect and monitor for pests, and eliminate pest infestation in accordance with integrated pest management methods.
- 301.2.3 The owner shall provide occupants with at least 48 hours written notice of the planned use of a chemical agent such as a pesticide or herbicide, the date and location of application, and a copy of the warning label.
- 301.2.4 The owner shall investigate occupant reports of unsafe or unhealthy conditions, respond in writing, and make needed repairs in a timely manner.
- 301.2.5 The occupant shall place trash and recyclables in the appropriate containers.
- 301.2.6 The occupant shall work with the owner to ensure pest-free conditions in accordance with integrated pest management.

301.2.7 If the occupant's action leads to pooling of water or another excessive moisture problem inside the dwelling unit, including mold and mildew caused by conditions under the control of the occupant, the occupant shall clean up and dry out the area in a timely manner.

2. Subsection 301.3, Vacant buildings and land, is deleted in its entirety and replaced by the following:

301.3 Vacant buildings: All vacant buildings and premises thereof must comply with this Code. Vacant buildings shall be maintained in a clean, safe, secure and sanitary condition provided herein so as not to cause a blighting problem, negatively impact the surrounding neighborhood, or otherwise adversely affect the public health, safety or quality of life.

301.3.1 Appearance: All vacant buildings must appear to be occupied, or appear able to be occupied with little or no repairs.

301.3.2 Security: All vacant buildings must be secured against outside entry at all times. Security shall be by the normal building amenities such as windows and doors having adequate strength to resist intrusion. All doors and windows must remain locked. There shall be at least one operable door into every building and into each housing unit. Exterior walls and roofs must remain intact without holes.

301.3.2.1 Architectural (cosmetic) structural panels: Architectural structural panels may be used to secure windows, doors and other openings provided they are cut to fit the opening and match the characteristics of the building.

Architectural panels may be of exterior grade finished plywood or Medium Density Overlaid plywood (MDO) that is painted to match the building exterior or covered with a reflective material such as plexiPlexi-glass.

Exception: Untreated plywood or similar structural panels may be used to secure windows, doors and other openings for a maximum period of thirty (30) days.

301.3.2.2 Security fences: Temporary construction fencing may be used for a maximum period of thirty (30) days as a method to secure a building from entry.

301.3.3 Weather protection: The exterior roofing and siding shall be maintained as required in International Property Maintenance Code Section 304.

301.3.4 Fire Safety:

- 301.3.4.1 Fire protection systems: All fire suppression and alarms systems, including carbon monoxide detectors, shall be maintained in a working condition and inspected as required by the Fire Department District. (Ord. 5806, 6-20-2016)
- 301.3.4.2 Flammable liquids: No vacant building or premises or portion thereof shall be used for the storage of flammable liquids or other materials that constitute a safety or fire hazard.
- 301.3.4.3 Combustible materials: All debris, combustible materials, litter, and garbage shall be removed from vacant buildings, their accessory buildings and adjoining yard areas. The building and premises shall be maintained free from such items.
- 301.3.4.4 Fire inspections: Periodic Fire Department inspections may be required at intervals set forth by the Fire Chief. (Ord. 5806, 6-20-2016)
- 301.3.5 Plumbing fixtures: Plumbing fixtures connected to an approved water system, an approved sewage system, or an approved natural gas utility system shall be installed in accordance with applicable codes and be maintained in sound condition and good repair or removed and the service terminated in the manner prescribed by applicable codes.
 - 301.3.5.1 Freeze protection: The building's water systems shall be protected from freezing.
- 301.3.6 Electrical: Electrical service lines, wiring, outlets or fixtures not installed or maintained in accordance with applicable codes shall be repaired, removed or the electrical services terminated to the building in accordance with applicable codes.
- 301.3.7 Heating: Heating facilities or heating equipment in vacant buildings shall be removed, rendered inoperable, or maintained in accordance with applicable codes.
- 301.3.8 Interior floors: If a hole in a floor presents a hazard, the hole shall be covered and secured with three-quarter inch (3/4") plywood, or a material of equivalent strength, cut to overlap the hole on all sides by at least six inches (6").
- 301.3.9 Termination of utilities: The code official may, by written notice to the owner and to the appropriate water, electricity or gas utility, request that water, electricity, or gas service to a vacant building be terminated or disconnected.

301.3.9.1 Restoration of service: If water, electricity or gas service has been terminated or disconnected pursuant to section 301.3.9, no one except the utility may take any action to restore the service, including an owner or other private party requesting restoration of service until written notification is given by the code official that service may be restored.

301.3.10 Notice to person responsible: The code official may inspect the building and premises whenever the code official has reason to believe that a building is vacant, subject to a duly issued court warrant, if there is a present danger, or under the terms of the City's community caretaking function. If the code official determines that a vacant building violates any provision of this section, the code official shall notify in writing the owner of the building or real property upon which the building is located, or other person responsible, of the violations and required corrections and shall be given a time frame to comply.

301.3.10.1 Alternate requirements: The requirements and time frames of this section may be modified under an approved Plan of Action. Within thirty (30) days of notification that a building or real property upon which the building is located is in violation of this section, an owner may submit a written Plan of Action for the code official to review and approve if found acceptable. A Plan of Action may allow:

- 1) Extended use of non-architectural panels.
- 2) Extended use of temporary security fencing.
- 3) Extended time before the demolition of a building is required.
- 4) For substandard conditions to exist for a specific period of time, provided the building is secured in an approved manner. When considering a Plan of Action, the building official shall take into consideration the magnitude of the violation and the impact to the neighborhood.

301.3.11 Enforcement: Violations of this section shall be enforced according to the provisions and procedures of RMC 1-3-2 and subject to the monetary penalties contained therein.

301.3.11.1 Abatement: A building or structure accessory thereto that remains vacant and open to entry after the required compliance date is found and declared to be a public nuisance. The code official is hereby authorized to summarily abate the violation by closing the building to unauthorized entry. The costs of abatement shall be a lien against the real property and may be collected from the owner in the manner provided by law.

301.3.11.2 Unsafe buildings and equipment: Any vacant building or equipment therein declared unsafe is subject to the provisions of RMC 4-5-060 and the demolition provisions of RMC 4-5-060. (Ord. 5676, 12-3-2012)

3. Section 302.4 is amended to read as follows:

<u>302.4</u> Weeds: All premises and exterior property shall be maintained free from weeds or plant growth in excess of twelve inches in height on development property or twenty-four inches (24") in height on vacant land. All noxious weeds shall be prohibited. <u>"Noxious weeds" shall be defined as those plants included on a list of noxious plants as adopted by the county, state, or federal government. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs; provided, however, this term shall not include cultivated flowers and gardens.</u>

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to the provisions of RMC 1-3-2, Civil Enforcement of Code.

4. Section 304 Exterior Structure is amended as follows:

304.20 Solid Waste: Every dwelling unit shall have adequate facilities for temporary storage of trash and recyclable materials.

5. Section 305 Interior Structure is amended as follows:

305.1 General: The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Every owner of a structure containing residential rental units shall maintain, in a clean and sanitary condition, the shared public areas of the structure and exterior property. Occupants shall keep that part of the structure that they occupy or control in a clean and sanitary condition.

305.1.2 Every plumbing fixture, pipe, chimney, flue, and every other piece of equipment or utility shall be installed and maintained in conformance with applicable statutes, ordinances, and regulations.

305.7 Kitchen: Every dwelling unit shall have a kitchen equipped with the following:

305.7.1 Kitchen sink in good working condition, properly connected to heated and unheated water supplies and waste pipes. Any provided components of the sink shall be in good working condition and properly connected.

305.7.2 A range for cooking food. The range shall be properly installed with all necessary connections for safe and efficient operation and shall be maintained in good working condition.

305.7.3 A refrigerator with a freezer. The refrigerator shall be in good working condition, of sufficient size to store occupants' food that requires refrigeration, and capable of maintaining a temperature less than 41 degrees F, but more than 32 degrees F. The freezer section shall be capable of maintaining a temperature below 0 degrees F.

305.7.4 A kitchen floor in good condition with a sealed, water-resistant, nonabsorbent, and cleanable surface.

305.8 Bathroom: Every dwelling unit shall have a private bathroom equipped with the following:

305.8.1 A toilet in good working condition that is sealed to the waste pipe and affixed to the floor and properly connected to both the dwelling's water supply and a waste pipe leading to an approved sewage system or private waste disposal system.

305.8.2 A sink in good working condition, with a stable connection to the wall or secure attachment to the floor that is properly connected to the heated and unheated potable water supply and a sealed trap leading to a waste pipe.

305.8.3 A bathtub or shower in good working condition that is properly connected to the heated and unheated potable water supply and a waste pipe.

305.8.4 Cleanable nonabsorbent water-resistant material on floor surfaces.

305.9 Safety and Personal Security: The following are required for safety and personal security:

305.9.1 Every dwelling unit shall have at least two means of egress, without having to pass through another dwelling unit.

305.9.2 Windows and doors shall have locks on the interior side.

305.9.3 Alarms and Detectors:

305.9.3.1 Smoke alarm shall be mounted on the ceiling outside each sleeping area and on each level of the building with the exception of crawl spaces and uninhabitable attics.

305.9.3.2 A carbon monoxide alarm shall be provided outside each sleeping area and on every floor.

305.9.3.3 Battery-operated alarms and the battery backup for hardwired smoke alarms shall be powered with long-lasting batteries.

305.9.3.4 All alarm systems shall be functioning.

305.9.3.5 Alternative visual notification system shall be provided for hearing-impaired occupants.

305.9.4 Each dwelling unit shall have at least one 10-pound, Class ABC-rated fire extinguisher in good working condition, readily accessible, in or near the kitchen.

305.10 Electrical System: Every dwelling unit shall have electric service, outlets, and fixtures that are grounded and installed properly, maintained in good and safe working condition, and connected to a source of electric power. Temporary wiring or extension cords shall not be used as permanent wiring.

305.11 Heating System: Every dwelling unit shall have a properly installed heating system in good and safe working condition that is capable of safely and adequately heating all habitable rooms.

305.12 Ventilation: Natural or mechanical ventilation, or a combination of the two, shall deliver fresh air to every habitable room and bathroom and be capable of removing moisture-laden air and other contaminants generated during cooking, bathing, and showering.

305.13 Air Sealing: Openings into dwellings and dwelling units shall be sealed to limit uncontrolled air movement.

305.14 Interior Moisture Prevention and Control: Surfaces and surface coverings, such as but not limited to carpet, wood, cellulose insulation, and paper, paint, and other wall coverings, including paper-faced gypsum board, shall have no signs of visible mold growth or chronic or persistent excessive dampness or moisture.

4. Section 308 is deleted in its entirety and replaced with a new Section 308 Residential Outdoor Storage, which shall read as follows:

308 Residential Outdoor Storage:

308.1 Purpose: The purpose of this section is to define and regulate the outdoor storage of materials on residential property while maintaining the character and use intended for single family residential neighborhoods. For purposes of this section, residentially zoned property is any property zoned RC, R1, R4, R6, or R8.

308.2 Allowed residential outdoor storage: For RC and R1 zoned properties, a maximum of 400 square feet of area may be used for outdoor storage. For R4, R6, and R8 zoned properties, a maximum of two hundred (200) square feet of area may be used for outdoor storage.

308.3 Prohibited areas for outdoor storage: Outdoor storage is prohibited on residentially zoned property in the following areas:

Front yards

Side yards

Slopes greater than 15%

Designated open spaces or restricted areas

Critical areas, including wetland, streams and associated buffer areas

308.4 Emergency access: Outdoor storage areas shall not prevent emergency access to the residential structure or any other building.

308.5 Business related storage: Materials stored outdoors on residentially zoned properties shall not be owned by or used in any business or industry including a home occupation business.

308.6 Height limitations: Materials stored outdoors on residentially zoned properties shall be neatly stacked and not exceed a height of six feet (6'). Tarps may not be utilized for screening outdoor storage.

308.7 Firewood: Firewood must be split, neatly stacked, and intended for use on the premises on which it is stored. Tarps may be used to protect firewood.

308.8 Membrane structures: Membrane structures are considered outdoor storage, and subject to the location restrictions in section 308.3. Such structures shall not exceed two hundred (200) square feet in area. Membrane structures shall be immediately removed or repaired in the event of disrepair or in the event of damage caused by weather, fire, collision, accident or other forms of damage. Tarps and makeshift covers are prohibited for this use.

308.9 Prohibited materials: Shipping containers and other similar storage units do not qualify as accessory buildings on residentially zoned properties, and are prohibited. Hazardous materials are also prohibited for outdoor storage on residentially zoned properties. (Ord. 5710, 4-14-2014)

C. COPY ON FILE:

At least one (1) copy of the adopted edition of the International Property Maintenance Code shall be on file in the office of the City Clerk. (Ord. 5549, 8-9-2010)